

REMARKS/ARGUMENTS

Claims 1, 10, 11, and 19-24 are pending in this application. Of these claims, claims 1, 10, and 11 have been amended. These amendments do not add new matter to the application. Claims 19-24 have been added. Claims 2, 12, and 13 have been cancelled. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1, 10, and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Bergh et al.*, U.S. Patent No. 6,112,186. Applicant asserts that *Bergh* fails to disclose or suggest every element of every claim. MPEP § 2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim...

The invention, as presently claimed in independent claims 1, 10, and 11, provides for reporting personalized rating information, including the following elements:

- providing a database that stores a plurality of user profiles corresponding to a plurality of users, wherein each user profile comprises a set of personal information data;
- wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;
- receiving from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users;

identifying a first set of user profiles, wherein each of the users associated with the first set of user profiles has previously submitted product/service rating data for the desired product/service;
mapping the personal information data in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user;
filtering the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to the user profile of the requesting user along multiple dimensions;
and
determining whether the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement.

Because not every element of every claim is taught by the cited reference, Applicant asserts that the Examiner's § 102 rejections are unsupported by the art and should be withdrawn.

Create a Second Set of User Profiles

The present invention provides for a method for reporting personalized rating information. A user that desires rating information on a product or service may request a personalized report. Based on the requesting user's profile and the user profiles of other users who have rated the product or service, personalized rating information is generated and reported. Specifically, the user profiles are compared and analyzed for similarity based on multiple dimensions.

A more thorough description of generating the personalized rating information is disclosed. First, all of the profiles of the users who previously rated the requested product or service *and* that meet a minimum threshold of similarity to the requesting user's profile are aggregated:

When the user requests a product report 1610 for product X, the algorithm retrieves the profiles 1620 from the profile database 1630 (which includes product ratings) of those users who have

previously rated that product. Then the system retrieves the default thresholds 1640 for the profile matching algorithm from the content database 1650. It then maps all of the short list of users along several dimensions specified in the profile matching algorithm 1660.

See, Specification, p. 76, ln. 1-16; see also Fig. 16. Next, the aggregated user profiles are tested for similarity with the requesting user's profile and then refined until specific requirements are satisfied:

The top n (specified previously as a threshold variable) nearest neighbors are then determined and a test is performed to decide if they are within distance γ (also specified previously as a threshold variable) of the user's profile in the set 1670 using the results from the profile matching algorithm. If they are not within the threshold, then the threshold variables are relaxed 1680, and the test is run again. This processing is repeated until the test returns true. The product ratings from the smaller set of n nearest neighbors are then used to determine a number of product statistics 1690 along several dimensions. Those statistics are inserted into a product report template 1695 and returned to the user 1697 as a product report.

Id.

These aspects of the present invention are specifically claimed in independent claims 1, 10, and 11. The independent claims require that the first set of user profiles be filtered into a second set of user profiles, such that the second set contains only a limited number of user profiles. In particular, the second set of user profiles may only include "a predetermined number of user profiles." By so limiting the second set of user profiles—which will ultimately be used to create personalized rating information—the present invention ensures a certain level of similarity between the requesting user and the users on which the rating information is based. Nowhere does the art of record, including *Bergh*, disclose filtering a first set of user profiles into a second set of user profiles including a *predetermined number of user profiles*. Accordingly, the "identical invention [is not] shown in as complete detail" as claimed in Applicants' invention.

Testing the Second Set of User Profiles for Sufficiently Similarity to Requesting User Profile

The independent claims further require determining whether the second set of user profiles are sufficiently similar to the requesting user's profile. Specifically, the present invention claims determining whether "the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a *predetermined conformity requirement*." (*emphasis added*) Moreover, this step is distinct from the step of filtering the first set of user profiles into a set of users that successfully mapped to the requesting user. While the *filtering* step creates a cutoff, selecting only a limited number of users that most closely match the requesting user, the *determining* step ascertains whether filtered set of users sufficiently conforms with the requesting user

Nowhere does the art of record, including *Bergh*, disclose determining whether the filtered set of users satisfies a predetermined conformity requirement. Further, the art of record does not teach two distinct steps: filtering and determining. Accordingly, the cited references have not disclosed the "identical invention...in as complete detail" as the claimed in the present invention.

The Art of Record Does Not Teach the Present Invention

For at least the reasons stated above, the cited reference clearly fails to disclose the "identical invention" and "every element" of Applicant's independent claims 1, 10, and 11. Accordingly, Applicant respectfully requests that the Examiner's 35 U.S.C. § 102 rejection as to these claims be withdrawn. Further, because the cited reference fails to describe, expressly or inherently, each and every element as set forth in independent claims 1, 10, and 11, the reference also fails to describe each and every element set forth in claims 19-24, which depend upon the independent claims.

Furthermore, Applicants assert that it would be unobvious to one of ordinary skill in the art to modify *Bergh* to provide the invention claimed by Applicants.

Relaxing the Predetermined Requirements

Dependent claims 19-24 address managing the scenario wherein the second set of user profiles are not determined to be sufficiently similar to the requesting user's profile. Specifically, the predetermined requirements are relaxed and the first set of user profiles are re-filtered. The re-filtered set of user profiles are tested again for satisfying the conformity requirement. This process is repeated until the conformity requirement is satisfied.

Claims 19, 21, and 23 require repeating the filtering and determining steps with a relaxed conformity requirement. Accordingly, there is a greater likelihood that the requirement will be met. Claims 20, 22, and 24 require repeating the filtering and determining steps with a reduced predetermined number of user profiles. This also creates a greater likelihood that the conformity requirement will be met.

Nowhere does the art of record, including *Bergh*, disclose relaxing these predetermined requirements in order to successfully create a second set of user profiles upon which the personalized rating information is based.

Conclusion

For at least the reasons stated above, Applicant submits that all pending claims are now allowable over the art of record and respectfully requests reconsideration and the rejections be withdrawn. Applicants request that a Notice of Allowance be issued in this case. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the undersigned can be reached at the telephone number listed below.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-302901).

Respectfully submitted,

By  _____

W. Glenn Edwards, Reg. #44,426
Oppenheimer Wolff & Donnelly LLP
1400 Page Mill Road
Palo Alto, CA 94304-1124
Telephone: 612.607.7278
Facsimile: 612.607.7100
E-mail: WEdwards@oppenheimer.com

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please cancel claims 2, 12 and 13. Please amend claims 1, 10, and 11 as follows.

1. A method for reporting rating information, comprising:
providing a database that stores a plurality of user profiles corresponding to a plurality of users, wherein each user profile comprises a set of personal information data;
wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;
receiving from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users; ~~and~~
~~identifying creating a first set of rating information from product/service rating data from the database for the desired product/service;~~
~~wherein the first set of rating information is from a first set of user profiles, wherein each of the users associated with the first set of user profiles has previously submitted product/service rating data for the desired product/service;~~
mapping the personal information data in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user;
filtering the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to

the user profile of the requesting user along multiple dimensions;
and
determining whether the second set of user profiles is sufficiently similar
to the user profile of the requesting user to satisfy a predetermined
conformity requirement.

10. An apparatus that reports rating information, comprising:

- (a) a processor;
- (b) a memory that stores information under the control of the processor;
- (c) a database that stores a plurality of user profiles corresponding to a plurality of users, wherein each user profile comprises a set of personal information data;

wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;

- (d) logic that receives from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users; and
- (e) logic that ~~identifies~~ ~~creates a first set of rating information from~~ ~~product/service rating data from the database for the desired~~ ~~product/service; wherein the first set of rating information is from~~ a first set of user profiles, wherein each of the users associated with the first set of user profiles has previously submitted product/service rating data for the desired product/service;
- (f) logic that maps the personal information data in the first set of
user profiles along multiple dimensions to the personal information
data in the user profile of the requesting user;

- (g) logic that filters the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to the user profile of the requesting user along multiple dimensions; and
- (h) logic that determines whether the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement.

11. A computer program embodied on a computer-readable medium that reports rating information, comprising:

- a code segment that stores a plurality of user profiles corresponding to a plurality of users in a database, wherein each user profile comprises a set of personal information data;
- wherein a first subset of users from the plurality of users have each submitted product/service rating data for at least one product or service; wherein the product/service rating data is stored in the user profiles in the database corresponding to the first subset of users;
- a code segment that receives from a requesting user a request for rating information for a desired product/service, wherein the requesting user is one of the plurality of users; and
- a code segment that identifies ~~creates a first set of rating information from product/service rating data from the database for the desired product/service; wherein the first set of rating information is from a first set of user profiles, wherein each of the users associated with the first set of user profiles has previously submitted product/service rating data for the desired product/service;~~

a code segment that maps the personal information data in the first set of user profiles along multiple dimensions to the personal information data in the user profile of the requesting user;

a code segment that filters the first set of user profiles to create a second set of user profiles, wherein the second set of user profiles includes a predetermined number of user profiles, such that the second set of user profiles includes those profiles that most closely mapped to the user profile of the requesting user along multiple dimensions;
and

a code segment that determines whether the second set of user profiles is sufficiently similar to the user profile of the requesting user to satisfy a predetermined conformity requirement.

Please add claims 19-24 as follows.

19. A method for reporting rating information as recited in claim 1, further comprising:

repeating the filtering and determining steps if the second set of user profiles are not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined conformity requirement is relaxed;

creating a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and

reporting the set of rating information to the requesting user.

20. A method for reporting rating information as recited in claim 1, further comprising:

repeating the filtering and determining steps if the second set of user profiles are not determined to be sufficiently similar to the user

profile of the requesting user, wherein the predetermined number of user profiles is reduced;
creating a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and
reporting the set of rating information to the requesting user.

21. An apparatus that reports rating information as recited in claim 10, further comprising

logic that repeats the filtering logic and the determining logic if the second set of user profiles are not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined conformity requirement is relaxed;

logic that creates a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and

logic that reports the set of rating information to the requesting user.

22. An apparatus that reports rating information as recited in claim 10, further comprising

logic that repeats the filtering logic and the determining logic if the second set of user profiles are not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined number of user profiles is reduced;

logic that creates a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and

logic that reports the set of rating information to the requesting user.

23. A computer program embodied on a computer-readable medium that reports rating information as recited in claim 11, further comprising

- a code segment that repeats the filtering logic and the determining logic if the second set of user profiles are not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined conformity requirement is relaxed;
- a code segment that creates a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and
- a code segment that reports the set of rating information to the requesting user.

24. A computer program embodied on a computer-readable medium that reports rating information as recited in claim 11, further comprising

- a code segment that repeats the filtering logic and the determining logic if the second set of user profiles are not determined to be sufficiently similar to the user profile of the requesting user, wherein the predetermined number of user profiles is reduced;
- a code segment that creates a set of rating information from product/service rating data from the database for the desired product/service, wherein the set of rating information is from the second set of user profiles; and
- a code segment that reports the set of rating information to the requesting user.